

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-cv-00480-RJC-DSC**

**UNITED STATES *ex rel.* BRUCE  
CARROLL, BRINGING THIS ACTION  
ON BEHALF OF THE UNITED STATES  
OF AMERICA, THE STATES OF  
CALIFORNIA, COLORADO,  
CONNECTICUT, DELAWARE,  
FLORIDA, GEORGIA, HAWAII,  
ILLINOIS, INDIANA, IOWA,  
LOUISIANA, MARYLAND,  
MASSACHUSETTS, MICHIGAN,  
MINNESOTA, MONTANA, NEVADA,  
NEW JERSEY, NEW MEXICO, NEW  
YORK, NORTH CAROLINA,  
OKLAHOMA, RHODE ISLAND,  
TENNESSEE, TEXAS, VERMONT,  
VIRGINIA, and WASHINGTON, THE  
DISTRICT OF COLUMBIA, and THE  
CITIES OF CHICAGO, NEW YORK, and  
PHILADELPHIA, and the COUNTY OF  
ALLEGHENY, PENNSYLVANIA,**

**Plaintiffs,**

**vs.**

**BSN MEDICAL, INC., and JOHN DOES,  
1 through 100,**

**Defendants.**

**Order**

**THIS MATTER** comes before the Court for consideration of the Notice of Declination and the Consent to Dismissal (Doc. No. 49) filed by the State of North Carolina on behalf of the States of California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Vermont,

Virginia, Washington and the District of Columbia (“the Plaintiff States”). The Plaintiff States, through the State of North Carolina, have notified the Court of their intent to decline the case, and consent to dismissal pursuant to their respective state statutes should the Relator choose to do so.

**IT IS, THEREFORE, ORDERED** that:

1. This action is dismissed with prejudice as to Relator Bruce Carroll and without prejudice as to the Plaintiff States;
2. In accordance with the terms of the Maryland False Health Claims Act, Md. Code Ann., Health Gen, § 2-604 (a)(7), the State of Maryland having declined to intervene in this matter, all claims asserted on behalf of Maryland are hereby dismissed without prejudice;
3. All contents of the Court’s file in this action that are currently under seal shall remain under seal and not be made public until otherwise ordered.
4. The Clerk of the Court shall provide a copy of this Order to counsel for the State of North Carolina, counsel for the United States of America, counsel for Relator, and counsel for Defendant BSN Medical, Inc.

**SO ORDERED.**

Signed: August 31, 2022



Robert J. Conrad, Jr.  
United States District Judge

